

IN THE DISTRICT COURT OF THE UNITED STATES

For the Western District of New York

THE UNITED STATES OF AMERICA

NOVEMBER 2011 GRAND JURY
(Impaneled 11/04/2011)

-vs-

**CALVIN YOUNG,
WILLIAM SMITH,
RASHEED GRAY,
ADALID AYALA,
ISRAEL MARTINEZ,
JESUS NOEL RIVERA-MORALES
a/k/a John Fuller, Jr., and
MARISOL GOMEZ**

INDICTMENT

Violation:

Title 21, United States Code, Section 846
(1 Count and Forfeiture Allegation)

COUNT 1
**(Conspiracy to Possess With Intent to Distribute
and to Distribute 5 Kilograms or More of Cocaine)**

The Grand Jury Charges That:

Beginning in or before November 2011, the exact date being unknown, and continuing up to the date of the return of this Indictment, in the Western District of New York, and elsewhere, the defendants, **CALVIN YOUNG, WILLIAM SMITH, RASHEED GRAY, ADALID AYALA, ISRAEL MARTINEZ, JESUS NOEL RIVERA-MORALES a/k/a John Fuller, Jr., and MARISOL GOMEZ**, did knowingly, willfully and unlawfully combine, conspire and agree together and with others, known and unknown, to commit the following offenses, that is, to possess with the intent to distribute, and to distribute, five (5)

kilograms or more of a mixture and substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

All in violation of Title 21, United States Code, Section 846.

FORFEITURE ALLEGATION

The Grand Jury Alleges That:

Upon their conviction of Count 1 of this Indictment, the defendants, **CALVIN YOUNG, WILLIAM SMITH, RASHEED GRAY, ADALID AYALA, ISRAEL MARTINEZ, JESUS NOEL RIVERA-MORALES a/k/a John Fuller, Jr.,** and **MARISOL GOMEZ**, shall forfeit all of their interest in any and all property, real or personal, constituting or derived from any proceeds the person obtained, directly or indirectly, as the result of such violation, including but not limited to the following:

MONEY JUDGMENT

- a. The sum of four million (\$4,000,000.00) dollars United States currency.

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- (1) cannot be located upon the exercise of due diligence;

- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above property.

All pursuant to Title 21, United States Code, Sections 853(a)(1) and 853(p).

DATED: Buffalo, New York, March 27, 2012.

WILLIAM J. HOCHUL, JR.
United States Attorney

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A TRUE BILL:

S/FOREPERSON
FOREPERSON